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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 NELSON CAMPBELL, et al., ) Case No.: 1:20-cv-00901 NONE JLT  
12 Plaintiffs, )  
13 v. ) ORDER TO PLAINTIFF TO SHOW CAUSE WHY  
14 FMC TECHNOLOGIES SURFACE ) SANCTIONS SHOULD NOT BE IMPOSED FOR  
15 INTEGRATED SVCS, ) THE FAILURE TO COMPLY WITH THE  
16 Defendants. ) COURT'S ORDERS AND TO PROSECUTE THIS  
ACTION; ORDER CONTINUING SCHEDULING  
CONFERENCE

17 the plaintiff initiated this action on June 29, 2020. (Doc. 1) On the same day, the Court issued  
18 the summons (Doc. 2) and its order setting the mandatory scheduling conference to occur on  
19 September 23, 2020. (Doc. 3) In its order setting the mandatory scheduling conference, the Court  
20 advised counsel:

21 The Court is unable to conduct a scheduling conference until defendants have been served with  
22 the summons and complaint. Accordingly, plaintiff(s) shall diligently pursue service of  
23 summons and complaint and dismiss those defendants against whom plaintiff(s) will not  
24 pursue claims. Plaintiff(s) shall promptly file proofs of service of the summons and complaint  
so the Court has a record of service. Counsel are referred to F.R.Civ.P., Rule 4 regarding the  
requirement of timely service of the complaint. Failure to timely serve summons and complaint  
may result in the imposition of sanctions, including the dismissal of unserved defendants.

25 (Doc. 3 at 1) Despite this, the plaintiffs have not filed proofs of service of the summons and complaint  
26 and no defendant has appeared in the action. Therefore, the Court **ORDERS**,

27 1. **No later than September 25, 2020**, the plaintiffs **SHALL** show cause why sanctions  
28 should not be imposed for the failure to serve the summonses and complaint and file proofs of service.

1 Alternatively, the plaintiff may file proofs of service;

2 2. Due the failure of the defendant to appear and the lack of proofs of service which  
3 would prevent entry of default, the scheduling conference is **CONTINUED** to **October 30, 2020** at  
4 8:30 a.m.

5 **Plaintiff is reminded of the service obligations under Fed. R. Civ. P. 4. Failure to comply**  
6 **may result in the imposition of sanctions, including the Court sua sponte dismissing unserved**  
7 **defendants.**

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9 IT IS SO ORDERED.

10 Dated: **September 8, 2020**

**/s/ Jennifer L. Thurston**  
UNITED STATES MAGISTRATE JUDGE